



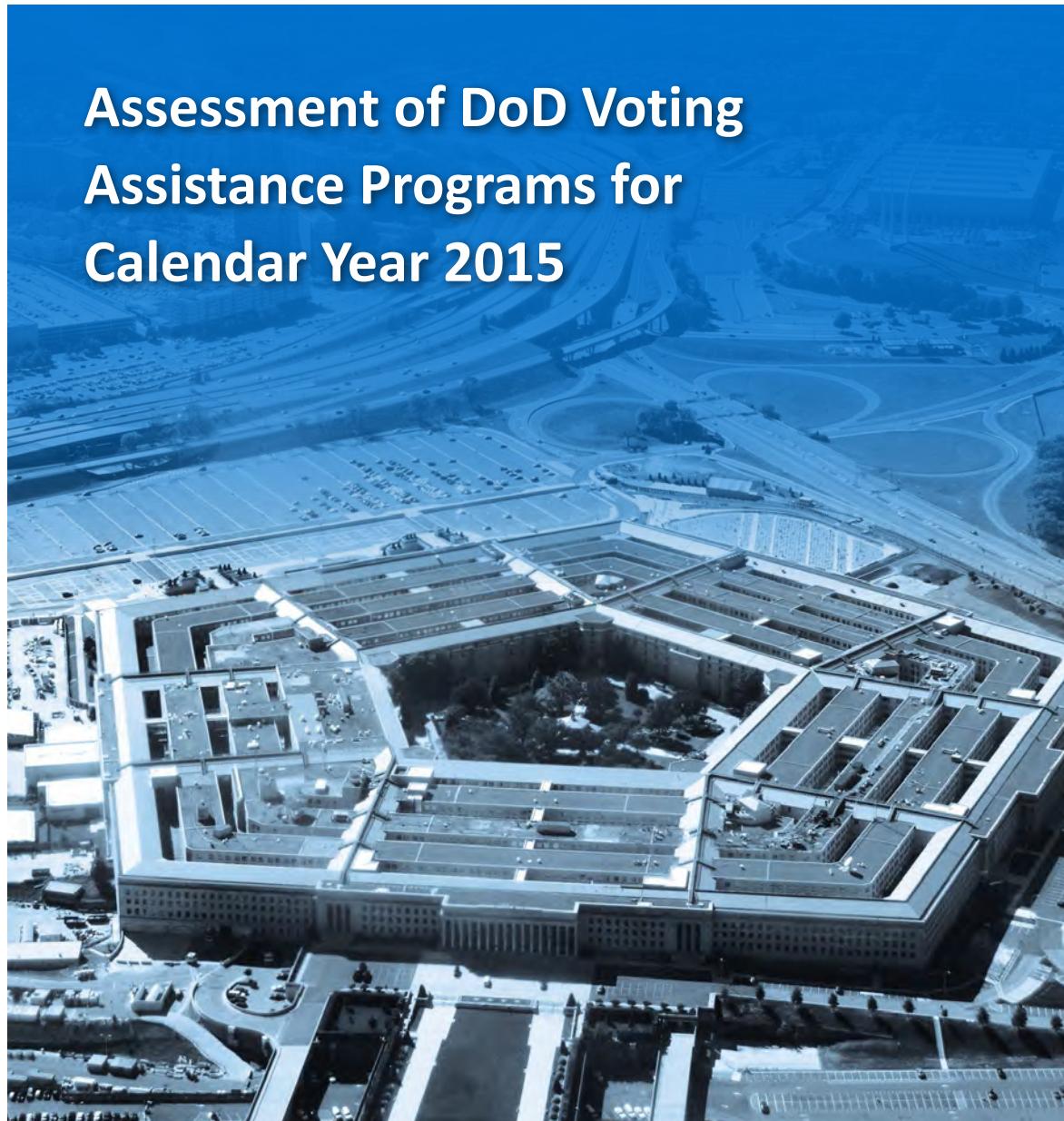
# INSPECTOR GENERAL

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*U.S. Department of Defense*

MARCH 31, 2016

## Assessment of DoD Voting Assistance Programs for Calendar Year 2015



INTEGRITY ★ EFFICIENCY ★ ACCOUNTABILITY ★ EXCELLENCE

INTEGRITY ★ EFFICIENCY ★ ACCOUNTABILITY ★ EXCELLENCE

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# Results in Brief

## *Assessment of DoD Voting Assistance Programs for Calendar Year 2015*

March 31, 2016

### Objective

The objective of this project was to report on the effectiveness and level of compliance of the Service's Voting Assistance Programs (VAP) based on their respective Service Inspector General's (IG) annual reviews, in accordance with section 1566, title 10, United States Code (10 U.S.C. §1566 (c) (2014)).

This law requires that:

1. The IG of each of the Army, Navy, Air Force, and Marine Corps shall conduct—
  - (A) an annual review of the effectiveness of voting assistance programs; and
  - (B) an annual review of the compliance with voting assistance programs of that armed force.
2. Submission of those Service IG reviews to the DoD OIG, and
3. Based on these Service IG reviews, not later than March 31 each year, the DoD OIG shall submit to Congress a report on:
  - (A) the effectiveness during the preceding calendar year of voting assistance programs, and
  - (B) the level of compliance during the preceding calendar year with voting assistance programs of each of the Army, Navy, Air Force, and Marine Corps.

### Finding

The Service IGs lacked a standardized definition for voting assistance program compliance with Federal statutes and DoD policy which made it difficult for stakeholders to verify or to assess compliance across the Services.

### Recommendation

We recommended that the Director, Federal Voting Assistance Program Office, coordinate with the Service IGs to initiate a dialogue with the Senior Service Voting Representatives to consider establishing a standard DoD definition of voting assistance program compliance.

### Management Comments

Due to the short timeframe of this assessment, we were not able to give the Director, Federal Voting Assistance Program Office the opportunity to provide written comments on the finding and recommendation before publication of the final report. We briefed them verbally on the finding and recommendation, and asked that they provide written comments in response to the final report.

### Observations

Each Service IG inspected its Service's VAP and reported on compliance and effectiveness for Calendar Year 2015:

- The Army IG reported the Army VAP complied with Federal statutes and DoD policies and was effective. The Army IG specifically noted increases in the number of voting assistance officers who received training prior to assuming duties, as well as voting assistance officers who had their duty performance documented in their performance evaluations.
- The Naval IG stated that the Navy VAP was not fully compliant with Federal statutes and DoD policies and was only partially effective. However, on February 5, 2016, the Navy addressed a key previously highlighted deficiency by issuing updated VAP regulations.



# Results in Brief

## *Assessment of DoD Voting Assistance Programs for Calendar Year 2015*

### **Observations (cont'd)**

- The Air Force IG reported that the Air Force VAP complied with Federal statutes and DoD policies and that its effectiveness was based on a qualitative assessment of compliance with FVAP statutes and regulations, interviews, and surveys. The report highlighted that Air Force inspection teams provided all Installation Voting Assistance officers and offices the opportunity to run recurring self-assessments, which created an environment of continuous process improvement.
- The Marine Corps IG concluded that the Marine Corps' VAP complied with Federal statutes and DoD policy, and was effective. For CY 2015, the Marine Corps IG confirmed implementation of the new VAP Measures of Effect and Performance, and expressed confidence that its service members and their eligible family members were made aware of all 2015 voting events.

### **Follow-Up on Prior Recommendations**

We also addressed two prior recommendations from DoD IG Report No. DODIG-2013-074, "Assessment of Voting Assistance Programs for Calendar Year 2012," April 29, 2013:

- Observation 2. Outdated Regulatory Requirements: The DoD OIG recommended the Services update their voting assistance program regulations to implement the requirements of the 2012 update of DoD Instruction 1000.04, "Federal Voting Assistance Program." On February 5, 2016, the Navy issued an updated Chief of Naval Operations Instruction (OPNAVINST) 1742.1C, "Navy Voting Assistance Program." This recommendation is now complete and closed. (Recommendation 2.b.)

### **Follow-Up (cont'd)**

- Observation 3. Lack of Clearly Defined Performance Measures to Assess Effectiveness of DoD Voting Assistance Programs: The DoD OIG recommended Director, FVAP Office provide the Services enhanced performance goals and metrics to enable better measurement of VAP program effectiveness. In October 2014, the FVAP Office distributed to each of the Services new "Measures of Effect and Performance" for reporting on VAP performance. Our review of the CY 2015 Service IGs VAP reports indicated that the Services implemented these new Measures of Effect and Performance, resulting in data points for calendar year 2015. Consistent use of these metrics over several years will enable the FVAP Office and the Services to monitor and adjust their voting assistance support during an election cycle. Pursuant to Recommendation 3.b, which remains open, the Service IGs will utilize these Measures of Effect and Performance in an evaluation of their respective VAPs effectiveness to be included in their annual VAP reports to the DoD OIG.

## ***Recommendation Table***

<b>Management</b>	<b>Recommendation Requiring Comment</b>
Director, Federal Voting Assistance Program Office	Yes

Please provide Management Comments by April 30, 2016.





**INSPECTOR GENERAL  
DEPARTMENT OF DEFENSE  
4800 MARK CENTER DRIVE  
ALEXANDRIA, VIRGINIA 22350-1500**

March 31, 2016

MEMORANDUM FOR INSPECTOR GENERAL, UNITED STATES ARMY  
COMMANDER, NAVY INSTALLATIONS COMMAND  
NAVAL INSPECTOR GENERAL  
THE INSPECTOR GENERAL, UNITED STATES AIR FORCE  
INSPECTOR GENERAL OF THE MARINE CORPS  
THE ADJUTANT GENERAL, UNITED STATES ARMY  
AIR FORCE DIRECTOR OF SERVICES  
DIRECTOR, MARINE AND FAMILY PROGRAMS

SUBJECT: Assessment of DoD Voting Assistance Programs for Calendar Year 2015  
(Report No. DODIG-2016-071)

We are providing this report for information and review.

We conducted this assessment from December 2015 to March 2016 in accordance with the "Quality Standards for Inspections and Evaluations," published in January 2012 by the Council of Inspectors General on Integrity and Efficiency. However, due to the short timeframe of this assessment, we were not able to give the Director, Federal Voting Assistance Program Office the opportunity to provide written comments on the finding and recommendation until publication of the final report. We briefed them verbally on the finding and recommendation. We ask that they provide written comments in response to the final report as outlined in the Recommendations Table.

We should receive your comments by April 30, 2016. Your comments should describe what actions you have taken or plan to take to accomplish the recommendation and include the completion dates of your actions. Please send copies of documentation supporting the actions you may have already taken.

Please provide comments that conform to the requirement of DoD Directive 7650.3. If possible, send your comments in electronic format (Adobe Acrobat file only) to [SPO@dodig.mil](mailto:SPO@dodig.mil). Copies of your comments must have the actual signature of the authorizing official for your organization. We are unable to accept the /Signed? Symbol in place of the actual signature. If you arrange to send classified comments electronically, you must send them over the SECRET Internet Protocol Router Network (SIPERNET).

We appreciate the courtesies extended to the staff. Please direct questions to Mr. Stephen Chiusano at (703) 604-9123 (DSN 664-9123) or Mr. David Corn at (703) 604-9474 (DSN 664-9474).

We will provide a formal briefing on the results if management requests.

Kenneth P. Moorefield  
Deputy Inspector General  
Special Plans and Operations



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# Introduction

## Objective

The objective of this project was to report on the effectiveness and level of compliance of the Service's Voting Assistance Programs (VAP) based on their respective Service Inspector General's (IG) annual reviews, in accordance with section 1566, title 10, United States Code (10 U.S.C. §1566 (c) (2014)).

This law requires that:

1. The IG of each of the Army, Navy, Air Force, and Marine Corps shall conduct—
  - (A) an annual review of the effectiveness of voting assistance programs; and
  - (B) an annual review of the compliance with voting assistance programs of that armed force.
2. Submission of those Service IG reviews to the DoD OIG, and
3. Based on these Service IG reviews, not later than March 31 each year, the DoD IG shall submit to Congress a report on:
  - (A) the effectiveness during the preceding calendar year of voting assistance programs, and
  - (B) the level of compliance during the preceding calendar year with voting assistance programs of each of the Army, Navy, Air Force, and Marine Corps.

It is these VAP reviews that the Service IG's provide to the DoD Office of Inspector General (DoD OIG) by January 31 of each year, in accordance with DoD Instruction 1000.04, "Federal Voting Assistance Program, enclosure 4, section 2.n," September 13, 2012.

During the assessment, we focused on the Military Services' VAPs and the portion of the Federal Voting Assistance Program (FVAP) Office responsibilities that fall within DoD.

## Background

The FVAP Office partners with the Military Services to ensure that service members, their eligible dependents, and overseas citizens are aware of their right to vote and have the tools and resources needed to successfully exercise that right.

## Criteria

### **Federal Guidance**

#### *Uniformed and Overseas Citizens Absentee Voting Act*

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) (Title 52, United States Code, Chapter 203) provides the legal basis for absentee voting requirements for Federal offices. It requires that each state permit absent Uniformed Services voters and overseas voters to use absentee registration procedures to vote by absentee ballot in general, special, primary, and runoff elections for Federal office. Section 20310 of UOCAVA (52 U.S.C. §20310 (2014)) defines an absent uniform services voter as:

- a member of a Uniformed Service on active duty who, by reason of such active duty, is absent from the place of residence where the member is otherwise qualified to vote;
- a member of the merchant marine who, by reason of service in the merchant marine, is absent from the place of residence where the member is otherwise qualified to vote; and
- a spouse or dependent of a Uniformed Service member or member of the merchant marine who, by reason of the active duty or service of the member, is absent from the place of residence where the spouse or dependent is otherwise qualified to vote.

Section 20310 also goes on to define an “overseas voter” as:

- an absent uniformed services voter who, by reason of active duty or service, is absent from the United States on the date of the election involved;
- a person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States; or
- a person who resides outside the United States and (but for such residence) would be qualified to vote in the last place in which the person was domiciled before leaving the United States.

### *Military and Overseas Voter Empowerment Act*

The Military and Overseas Voter Empowerment (MOVE) Act of 2009 amended UOCAVA by providing greater protections for service members, their eligible family members, and other overseas citizens. Some of the provisions introduced by the MOVE Act require the states to:

- provide UOCAVA voters with an option to request and receive voter registration and absentee ballot applications by electronic transmissions;
- transmit validly-requested absentee ballots to UOCAVA voters no later than 45 days before an election for Federal office; allow UOCAVA voters to track the receipt of their absentee ballots through a free access system; and
- take steps to ensure that electronic transmission procedures protect the security of the absentee ballot application process and the privacy of the identity and personal data of UOCAVA voters using the procedures.

### **DoD Guidance**

DoD Instruction 1000.04, "Federal Voting Assistance Program" September 13, 2012, assigns responsibilities to FVAP in accordance with UOCAVA. DoD Instruction 1000.04 states that, pursuant to 52 U.S.C. §20310, FVAP shall ensure eligible voters receive information about registration and voting procedures and materials pertaining to scheduled elections, including dates, offices, constitutional amendments, and other ballot proposals. It further outlines the roles and responsibilities of the Under Secretary of Defense for Personnel and Readiness, DoD Components, the Services, and the Director of the FVAP Office.

### **Service Guidance**

Each Service has its own VAP to implement law and DoD policy. Service policies governing the Army, Navy, Air Force, and Marine Corps VAPs are as follows:

- Army Regulation 608-20, "Army Voting Assistance Program," April 22, 2014;
- Chief of Naval Operations Instruction (OPNAVINST) 1742.1B, "Navy Voting Assistance Program (NVAP)," May 15, 2007;
- Air Force Instruction 36-3107, "Voting Assistance Program," February 27, 2014; and
- Marine Corps Order 1742.1B, "Voting Assistance Program," April 1, 2013.

Each of the Services supplements its VAP policies with regularly updated voting action plans. These plans provide lower level guidance to commanders and voting assistance officers (VAOs) on the implementation of law and DoD policy. Additionally, the plans identify key dates that change between election years, recommended ordering and mailing dates for voting material, and reporting dates for voting assistance metrics.

## ***Federal Election Year Voting Assistance Program Requirements***

In preparation for the upcoming Presidential election, the Services will be addressing several VAP activities in CY 2016. They will conduct voter outreach events to promote voter registration and absentee voting including:

- Armed Forces and Overseas Citizens Voters Week to deliver, and encourage eligible voters to immediately complete and submit, the Federal Post Card Application<sup>1</sup>.
- Absentee Voting Week to encourage eligible voters to return their voted ballots immediately or use the Federal Write-In Absentee Ballot<sup>2</sup>.

Furthermore, installation voting assistance officers (IVAOs) are responsible for the delivery of Federal Post Card Applications to eligible voters by January 15 of each calendar year and by July 15 of even-numbered years. In addition, all major command, installation, and unit VAOs are required to attend an FVAP voting assistance workshop during even-numbered years with elections for Federal offices.

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<sup>1</sup> Standard Form 76, “Federal Post Card Application,” registers UOCAVA-eligible citizens to vote and requests absentee ballots for a minimum of all federal elections in the current calendar year.

<sup>2</sup> Standard Form 186, “Federal Write-In Absentee Ballot,” serves as a backup ballot for UOCAVA-eligible voters who do not receive their absentee ballots in time to return to their State election office by the deadline. The Federal Write-In Absentee Ballot can be used in all States and Territories to vote for federal offices.

# Part I. Finding

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*Lack of a Standardized Definition of Voting Assistance Program Compliance*



## Finding

### Lack of a Standardized Definition of Voting Assistance Program Compliance

Each Service IG determined and reported on their respective Military Service's VAP compliance with Federal statutes and DoD policy in a different manner.

This occurred because the Service IGs lack a standardized definition for VAP compliance.

As a result, Service IG determinations of Service VAP compliance were difficult to compare or verify, which could hinder the ability of Congress and other stakeholders to assess VAP compliance across the Services.

## Discussion

Section 1566, title 10, United States Code (10 U.S.C. §1566 (c) (2014)) requires the Service IGs to conduct an annual review of the compliance of their respective service voting assistance programs with Federal statutes and DoD policy.

DoD Instruction 1000.04, "Federal Voting Assistance Program" September 13, 2012, assigns responsibilities to the FVAP Office in accordance with the Uniformed and Overseas Citizens Absentee Voting Act, and further outlines the roles and responsibilities of the Under Secretary of Defense for Personnel and Readiness, DoD Components, the Services, and the Director of the FVAP Office.

However, neither 10 U.S.C. §1566 (c) (2014) nor DoDI 1000.04 provide the Service IGs with a definition of compliance, nor do they articulate what criteria or process they should use to determine compliance. Further, a detailed explanation of how the number, severity and status of deficiencies may impact the Service IGs' compliance determination is not standardized across the Services. It is left up to the Service IGs to determine, using their own internal processes and criteria, whether or not their respective Service VAP is compliant with Federal statutes and DoD policy.

We observed that each Service IG seemed to have a different process for the determination which led to different reporting of their Service's VAP compliance. For instance, the Service IGs differed in their approach in detailing how any inspection deficiencies found impacted their determinations of compliance. Additionally, the level of detail describing how Service IGs determined compliance varied between the VAP reports submitted to DoD OIG. During this assessment,

several Service IG representatives raised concerns that there was no VAP guidance regarding a standard definition of VAP compliance which they could apply when making a compliance determination.

For example, the Army IG concluded that the Army VAP was compliant and that the Army VAP was either at, or working toward 100 percent compliance for specific metrics, without describing the process in significant detail regarding how they came to their determination that the Army VAP was in compliance.

The Naval IG provided a summary list of significant or recurring deficiencies, and later provided a list of corrective actions that were being implemented. The Naval IG stated that the deficiencies that they identified resulted in a determination that the Navy VAP was not fully compliant.

The Air Force IG reported 757 deficiencies by type, category, organization, status, and tracking number. They also reported that 4 were critical, 39 significant, and a large number of minor deficiencies remained open. The Air Force IG stated that they were confident that the Air Force VAP was compliant, without providing an explanation of how the open deficiencies did or did not impact their determination of VAP compliance.

The Marine Corps IG stated that they immediately corrected deficiencies as they identified them, without detailing the number or nature of the deficiencies, or how they may have impacted their determination of VAP compliance.

This opaque process produced subjective determinations of Service VAP compliance that were difficult to understand or verify. It may present difficulties for Congress and other stakeholders to follow the process and logic of exactly how the Service IGs came to their determination regarding their Service's VAP compliance.

A standard definition of VAP compliance, and more transparent process, would allow the Service IGs to more uniformly assess and report individual Service VAP compliance.

## **Recommendation and Management Comments**

### ***Recommendation***

**The Director, Federal Voting Assistance Program Office, coordinate with the Inspector General, United States Army; the Naval Inspector General; the Inspector General, United States Air Force; and the Inspector General of the Marine Corps to initiate a dialogue with the Senior Service Voting Representatives to consider establishing a standard DoD definition of Voting Assistance Program compliance.**

*Director, Federal Voting Assistance Program Office Comments*

Due to the short timeframe of this assessment, we were not able to give the Director, Federal Voting Assistance Program Office the opportunity to provide written comments on the finding and recommendation before publication of the final report. We briefed them verbally on the finding and recommendation, and ask that they provide written comments in response to the final report.



## Part II. Observations

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### *Military Service Voting Assistance Program Compliance and Effectiveness*

The Service IGs reported to the DoD OIG on the results of their CY 2015 Voting Assistance Program compliance and effectiveness assessments in accordance with 10 U.S.C. § 1566 (2014). We reviewed the results to summarize each Service IG's determination of effectiveness and compliance with applicable laws and regulations. This section will discuss the results of the Service IG reports.



# Military Service Voting Assistance Program Compliance and Effectiveness

## Army Voting Assistance Program Compliance

The Department of the Army Inspector General (Army IG) issued “Calendar Year 2015 Annual Report of the U.S. Army Compliance with Department of Defense Federal Voting Assistance Program Requirements.” Based on the consolidated results of Army Command IG inspections at sampled Army organizations, the Army IG reported that the Army complied with both DoD Instruction 1000.04 and Army Regulation 608-20. The Army IG also reported that the Army VAP continued to enable Soldiers, Army civilians, family members, and contractors to fully participate in the American election process.

The Army IG report included responses from higher headquarters and 13 installations encompassing 466 organizations across seven Army-level commands. Furthermore, the report documented the compliance of 1,020 VAOs serving at Army commands through the company level. The Army IG reported that IVAOs were designated at all 13 inspected installations. The report also includes information from U.S. Army Recruiting Command pertaining to enlistee voting requirements.

The Army IG developed a rotational system to determine which Army major commands would be inspected over the 4-year election cycle. As a result, every Army major command is inspected at least twice over the 4-year election cycle with some Army commands being inspected annually.

The Army IG incorporated requirements from 10 U.S.C. § 1566 (2014) and DoD Instruction 1000.04 into their standardized inspection tool. The Army IG provided this inspection tool to selected command IGs who in turn inspected their subordinate organizations as part of the Army’s annual VAP assessments. The Army IG report provided compliance assessments in six specific categories: staffing, training, material distribution, communication and information network, commander-/installation-level involvement, and VAP effectiveness.

The Army IG reported the Army VAP complied with Federal and DoD policies and described efforts toward 100 percent compliance in all six assessment categories. For instance, the Army IG report stated that the Army's emphasis on VAO training resulted in a six percent increase in the number of inspected VAOs who received training prior to assuming duties. The report also indicated that 100 percent of IVAOs and 90 percent of VAOs had their duty performance documented in their performance evaluation, which is an increase from 93 percent and 68 percent, respectively, when compared with the data from the Army's CY 2014 compliance report.

The Army IG report stated that the Army has an effective VAP. Furthermore, the Army IG reported that Army organizations continue to increase the use of electronic and social media as a primary means for delivering information to ensure that voters have access to resources at all times.

## Navy Voting Assistance Program Compliance

The Naval IG issued its “Report of Assessment of Navy Voting Assistance Program (NVAP) for Calendar Year 2015,” which states that the Navy’s VAP was not fully compliant with 10 U.S.C. 1566 (2014); DoD Instruction 1000.04; and OPNAVINST 1742.1B.

The Naval IG independently assessed compliance with DoD Instruction 1000.04, OPNAVINST 1742.1B, and the 2014–2015 Navy Voting Action Plan through on-site interviews with IVAOs and unit voting assistance officers (UVAOs) during their CY 2015 scheduled area visits and command inspections.

The Naval IG report reflects inspection results from seven echelon 2 command inspections, two area visits, and echelon 2 command IG self-assessments.

The Naval IG developed an inspection cycle to ensure that operational commands and their subordinate commands are inspected on a rotating basis. Additionally, most echelon 2 commands inspect at least 10 percent of their subordinate commands annually.

The Naval IG report provided compliance assessments in five specific categories: staffing, training, material distribution, communication and information network, and commander-/installation-level involvement. It stated that the Navy voting assistance program (NVAP) was not fully compliant, and listed several discrepancies. The Naval IG later provided associated corrective actions:

- The Navy had not issued an updated NVAP instruction (OPNAVINST 1742.1B, May 15, 2007) to align with the updated FVAP (DoD Instruction 1000.04, September 13, 2012). The Naval IG stated that the Office of the Chief of Naval Operations would issue revised NVAP instructions in the spring of 2016. This is further discussed in this report in Part III Follow-up on Prior Observations and Recommendations, in the Outdated Regulatory Requirements section.
- Fewer than 60 percent of UVAOs retained records of service member VAP training for the required minimum period of at least one year. To correct this, the NVAP added VAO training to existing Navy training tracker systems.
- The Naval IG reported that they observed that four changes in personnel assigned as the Navy Senior VAO had occurred within 18 months, with gaps. No corrective action was provided by the Navy to address this finding, but the Naval IG had recommended that a senior civilian be appointed to the Navy Senior VAO position.

- A Navy component-wide means of effectively communicating and expeditiously disseminating voting information has not been established by NVAP. The corrective action is that NVAP is working with FVAP to improve FVAP portal configuration and usage to increase its compatibility with Navy networks. The Navy stated that this is expected to be completed by April 2016.
- Several Installation Voting Assistance Offices were not providing voter assistance to all potentially eligible personnel, and the installation VAOs were not located in well-advertised, fixed locations in areas that are extensively visited by personnel, family members, and DoD civilians. The corrective action plan was for the NVAP to assess existing Installation Voting Assistance Office locations on Navy installations, their set up, operating hours, and marketing to increase personnel awareness of the available local VAP resources.

The Naval IG report stated that the NVAP was partially effective, and described the lack of consistent oversight and senior VAO leadership, as well as the lack of an established Navy component-wide means for the Navy Service VAO to communicate with all Navy UVAOs, as negatively impacting NVAP effectiveness.

The Naval IG reported that the NVAP had developed new marketing materials, such as posters, brochures, reference cards, and public service announcements, to reach voters during the 2016 election cycle. The NVAP was also reported to have increased its voting assistance outreach via social media, email, leave and earning statement messages, plan of the day notes, news articles, and absentee voting training videos.

## Air Force Voting Assistance Program Compliance

The Office of the Inspector General of the Air Force (Air Force IG) issued its "Air Force Federal Voting Assistance Program Inspection Report-2015," which provided a summary of the comprehensive assessment of the VAP throughout the Air Force and compliance with Federal statutes and DoD requirements. Based on the reported VAP installation-level results of Air Force higher headquarters inspections, the Air Force IG stated the United States Air Force VAP was in compliance with Federal statutes and DoD requirements. The Air Force IG stated the Air Force VAP continued to provide the opportunity for all Airmen, Department of the Air Force civilians, family members, and contractors to participate in the American election process.

The Air Force IG report reflected reviews and inspections of the Air Force VAP at all levels during major command and wing IG inspections.<sup>3</sup> The Air Force IG teams conducted VAP inspections using standardized criteria outlined in DoD guidance and in accordance with Air Force Instruction 90-201, "The Air Force Inspection System (AFIS)," August 8, 2014.

The Air Force IG report provided assessments in staffing, training, material distribution, communication and information network, commander-/installation-level involvement, and FVAP effectiveness. The Air Force IG conducted 281 VAP inspections, identified 757 deficiencies, 671 of which were minor. As of January 4, 2016, 391 of the 757 deficiencies identified were closed and wings were tracking all open deficiencies to closure. Identified deficiencies were categorized as minor, significant, or critical.

The Air Force IG reported the top 5 trends from a review of the 15 critical (4 open) and 71 significant (39 open) identified deficiencies:

1. 36 percent were due to IVAO noncompliance with program requirements,
2. 17 percent involved UVAO noncompliance with program requirements,
3. 11 percent were due to inadequate VAP training,
4. 9 percent involved leadership failure to establish a VAP at installations or units, and
5. 8 percent identified inadequate local VAP guidance or procedures.

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<sup>3</sup> In the United States Air Force, a wing is normally the organizational tier below a Numbered Air Force. Most USAF wings are commanded by a Colonel, but some are commanded by Brigadier Generals. USAF wings are structured to fulfill a mission from a specific base, and contain a headquarters and typically four groups: an operations group, a maintenance group, a medical group and a mission support group. Such a wing is comparable to an Army brigade.

The Air Force IG reported the Air Force VAP effectiveness was based on a qualitative assessment of compliance with FVAP statutes and regulations, interviews, and surveys, and that the Air Force maintained an active program. They reported appropriate personnel were assigned to VAP duties, effective training programs were established, materials were stocked and available, effective lines of communication from VAP down to the unit level were maintained, and continuous oversight of the VAP with appropriate leadership involvement levels was conducted.

The Air Force IG report identified several areas in which the Air Force VAP took steps to improve its program. For example, wing inspection teams provided all Installation Voting Assistance officers and offices the opportunity to run recurring self-assessments. According to the Air Force IG, the self-assessment program created an environment of continuous process improvement. Additionally, the Air Force IG report stated after action reports for command-wide voting awareness and assistance programs and activities were provided to the FVAP Office and used by the Air Force Senior Voting Assistance Officer to benchmark the best ideas and methods for Armed Forces Voters Week.

## Marine Corps Voting Assistance Program Compliance

The Marine Corps IG issued its “Annual Assessment of the Marine Corps Voting Assistance Program for Calendar Year 2015” in accordance with 10 U.S.C. § 1566 (2014). The guiding policies for the Marine Corps IG inspections were DoD Instruction 1000.04 and Marine Corps Order 1742.1B. Based on consolidated results of the inspections and quarterly voting reports, the Marine Corps IG concluded that the Marine Corps’ VAP complied with all policies and was effective in assisting eligible voters.

The Marine Corps IG report reflects the results of 25 inspections conducted by the Marine Corps IG Inspections Division during CY 2015. Inspections were conducted at all levels of commands: major subordinate, installation, and unit. During the inspections, some commands reported findings or minor deficiencies. To address the deficiencies, inspectors provided immediate training or had commands make on-the-spot corrections. Marine Corps IG officials confirmed that all findings and deficiencies identified during the CY 2015 inspection cycle were addressed and corrected.

The Marine Corps IG inspects every Marine forces command every 2 years, and every Marine expeditionary force, installation, and major subordinate command is inspected every 3 years. In addition to the Marine Corps IG inspections, Marine Corps commanding generals use their own inspection programs to inspect their units every two years.

The Marine Corps IG and commanding generals use a functional area checklist to ensure standardization of every VAP inspection. Both inspections processes included interviews with major command VAOs, IVAOs, UVAOs, commanding officers, and randomly selected Marines.

The Marine Corps inspection teams also reviewed documents and procedures to ensure compliance with applicable Marine Corps orders and directives. They inspected facilities to ensure voting assistance materials were displayed in accordance with Marine Corps Order 1742.1B. Each inspection could have been graded as mission capable, mission capable with discrepancies, mission capable with findings, or non-mission capable.

For CY 2015, the Marine Corps IG confirmed use of the new FVAP Measures of Effect and Performance. The Marine Corps IG also reported that the collection of this data through the new FVAP Administrative Portal enables a more accurate analysis of program effectiveness.

Overall, the Marine Corps expressed confidence that its service members and their eligible family members were made aware of all 2015 voting events and were provided assistance in meeting all absentee voting requirements.

## Part III. Follow-up

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### *Prior Observations and Recommendations*

This section provides an update on the following observations and recommendations from DoD IG Report No. DODIG-2013-074, “Assessment of Voting Assistance Programs for Calendar Year 2012,” April 29, 2013:

- Outdated Regulatory Requirements
- Lack of Clearly Defined Performance Measures to Assess Effectiveness of DoD Voting Assistance Programs

Recommendations from DoD OIG VAP reports for calendar years 2009 to 2011, 2013, and 2014 have had actions taken by the Services and are considered closed.



## Prior Observations and Recommendations

### Outdated Regulatory Requirements

The DoD OIG stated in DoD IG Report No. DODIG-2013-074, "Assessment of Voting Assistance Programs for Calendar Year 2012," April 29, 2013, that the Service VAP regulations were outdated and did not address all current requirements in DoD FVAP guidance.

As a result, the Services could not verify that they were addressing all current and relevant areas of VAP compliance or ensure that they were providing optimal voting assistance to service members.

The DoD OIG recommended in the report that:

2. The Adjutant General, United States Army; Commander, Navy Installations Command; Director of Air Force Services; and Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs:
  - a. Issue interim Military Service guidance to implement Department of Defense Instruction 1000.04, "Federal Voting Assistance Program."
  - b. Revise Military Service Voting Assistance Program regulations to implement Department of Defense Instruction 1000.04, "Federal Voting Assistance Program."

In April 2013, the Army, Navy, Air Force, and Marine Corps concurred with Recommendation 2.a and 2.b. The Services provided their voting action plans and other supporting documents as part of their comments to the draft report to demonstrate that they had provided interim guidance while their Service VAP guidance was being revised.

In 2013, the Marine Corps issued its revised VAP instruction. In 2014, the Air Force and Army issued their revised VAP instructions.

The Navy had previously reported in April 2013 and February 2014 that it had been revising OPNAVINST 1742.1B, "Navy Voting Assistance Program," to reflect the requirements of the 2012 update to DoD Instruction 1000.04, and that OPNAVINST 1742.1B was in the process of administrative routing, with an anticipated publication date in the second quarter of CY 2014. In January and June 2015 the Navy reported that OPNAVINST 1742.1B was still in the process of administrative routing.

On February 5, 2016, the Navy issued OPNAVINST 1742.1C, "Navy Voting Assistance Program." We reviewed the newly issued Navy VAP regulation and considered it responsive to the recommendation. The Navy response fully satisfied the recommendation and we consider it closed.

## Lack of Clearly Defined Performance Measures to Assess Effectiveness of DoD Voting Assistance Programs

In DoD IG Report No. DODIG-2013-074, DoD OIG stated that, while the FVAP Office and Military Services had developed and applied some VAP goals and metrics, they were not sufficient to be able to comprehensively evaluate and report on the effectiveness of program accomplishment. Specifically, the DoD OIG recommended that:

- 3.a. The Director, Federal Voting Assistance Program Office, on behalf of the Under Secretary of Defense for Personnel and Readiness, coordinate with the Adjutant General, Army; Commander, Navy Installations Command; Director of Air Force Services; and Deputy Commandant of the Marine Corps for Manpower and Reserve Affairs to:
  1. Enhance performance goals and indicators for annual assessment of voting assistance activities to enable measurement of program effectiveness.
  2. Provide guidance to the Military Services regarding voting assistance program performance goals and indicators to enable them to measure program effectiveness at the Service level.
- 3.b. The Army, Navy, Air Force, and Marine Corps Inspectors General: upon receipt of the performance goals and indicators from the Federal Voting Assistance Program Office, include an evaluation of their respective voting assistance programs' effectiveness in their annual voting assistance program reports to the Department of Defense Inspector General.

Since the DoD OIG issued its recommendation, the FVAP Office has actively worked to generate and standardize goals and metrics for the Services to assess the effectiveness of their VAP performance. Beginning in 2013, the FVAP Office engaged with the RAND Corporation to improve their analytic capability for assessing and improving their performance. As a result, FVAP was able to develop a list of key metrics to help the Services focus data collection and analysis of factors that matter most for voting success, and to use that data not just to monitor, but to improve performance.

During the early stages of the electoral cycle, metrics based on voting success indices can help focus limited resources on those installations most in need of assistance, as well as allocate training and technical assistance to Service branches and installations in need. Later in the election cycle, metrics based on downloads

of voting materials can help the FVAP Office monitor, in near-real time, any barriers to voting success, enabling them to take actions to mitigate or eliminate those obstacles. Finally, post-election analysis can help inform VAP performance reports to Congress and other stakeholders, and identify lessons that can inform planning for the next election cycle.

In October 2014, based on their work with RAND, the FVAP Office distributed to each of the Services a new set of metrics for reporting on VAP performance, which they termed “Measures of Effect and Performance.” Collection of these new performance metrics commenced on January 1, 2015; therefore, CY 2015 is the first full reporting cycle in which the new Measures of Effect and Performance have been collected. A full election cycle or more using this new data collected by the FVAP Office and the Services will be required in order to fully realize and assess the results. These new metrics included elements to track the number and types of voting assistance requested by Service members, such as voter registration, requesting an absentee ballot, as well as the format that they requested to receive the assistance (hard copy, email, or web page referral).

Our review of the Service IGs VAP reports showed that the Services incorporated the FVAP Office’s Measures of Effect and Performance into their annual reporting requirements. Installation Voting Assistance Office personnel, UVAOs, and recruiting personnel are responsible for collecting data on these metrics and reporting results quarterly through the FVAP portal. Consistent use of these metrics over several years will allow the FVAP Office and the Services to monitor and adjust their voting assistance programs throughout each election cycle, in addition to assessing overall annual VAP performance for the DoD.

The FVAP Office’s response and actions to Recommendations 3.a.1 and 3.a.2 fully satisfied the recommendations and we considered them closed.

Regarding Recommendation 3.b., which remains open, the DoD OIG will continue to coordinate with the FVAP Office and the Service IGs during calendar year 2016 and thereafter as they collect these new Measures of Effect and Performance, analyze the data, and report on their VAP program effectiveness to the DoD OIG.



## Appendix A

### Scope and Methodology

We conducted this assessment from December 2015 through March 2016 in accordance with our responsibilities under 10 U.S.C. § 1566 (2014); DoD Instruction 1000.04; “Quality Standards for Inspection and Evaluation,” Council of the Inspectors General on Integrity and Efficiency, January 2012; the DoD IG Inspection and Evaluation Handbook, October 2015; and the SPO Assessment Project Handbook; however, due to the short timeframe of this assessment, we were not able to give the Director, Federal Voting Assistance Program Office, the opportunity to provide written comments on the finding and recommendation before publication of the final report.

During the CY 2015 reporting cycle, we reviewed relevant Federal laws, DoD policies, Service policies, and other appropriate documents. In accordance with 10 U.S.C. § 1566 (2014), we received assessment reports from the Army, Navy, Air Force, and Marine Corps IGs covering CY 2015. We reviewed the Service IG reports and supporting data, as needed; met with Service IG representatives and Service Voting Action Officers from the Army, Navy, Air Force, and Marine Corps; and discussed their data collection procedures and criteria used as a basis for their conclusions. We did not independently validate the results of the service inspections the Service IGs conducted and provided. However, we applied alternate qualitative assessment techniques, such as discussion with senior program officials and knowledgeable personnel.

### Use of Computer-Processed Data

We used Service IG-provided computer-processed data to perform this assessment; however, we did not test the validity or verify the results of the computer processed data used by the Service IGs in their reporting.

### Prior Coverage

During the past six years, the Government Accountability Office (GAO) and the DoD OIG issued eight reports discussing DoD’s support to service members who qualify under UOCAVA. Unrestricted GAO reports can be accessed at <http://www.gao.gov>. Unrestricted DoD OIG reports can be accessed at <http://www.dodig.mil/pubs/index.cfm>. Additionally, there is an ongoing GAO engagement concerning FVAP with anticipated publication in April 2016.

## **GAO**

Report No. GAO-10-476, "Elections: DoD Can Strengthen Evaluation of Its Absentee Voting Program," June 17, 2010

## **DoD IG**

Report No. DODIG-2015-098, "Assessment of DoD Voting Assistance Programs for Calendar Year 2014," March 31, 2015

Report No. DODIG-2014-051, "Assessment of DoD Voting Assistance Programs for Calendar Year 2013," March 31, 2014

Report No. DODIG-2013-074, "Assessment of Voting Assistance Programs for Calendar Year 2012," April 29, 2013

Report No. DODIG-2012-123, "Assessment of the Federal Voting Assistance Program Office Implementation of the Military and Overseas Voter Empowerment Act," August 31, 2012

Report No. DODIG-2012-068, "Assessment of Voting Assistance Programs for Calendar Year 2011," March 30, 2012

Report No. SPO-2011-006, "2010 Evaluation of the DoD Federal Voting Assistance Program (FVAP)," March 22, 2011

Report No. SPO-2010-004, "2009 Evaluation of the DoD Federal Voting Assistance Program (FVAP)," September 27, 2010

## Appendix B

### Federal Voting Assistance Program Overview

The Federal Voting Assistance Program provides voting assistance to military personnel, their eligible family members, and overseas citizens through a Federal mandate. The FVAP Office works to ensure they are aware of their right to vote and have the tools and resources to successfully do so from anywhere in the world.

Section 20301, title 52, United States Code requires the President to delegate the head of an executive department to have primary responsibility for the functions related to the registration and voting by absent Uniformed Services voters and overseas voters in elections for Federal office. Specifically, the Presidential designee shall—

1. consult State and local election officials in carrying out this chapter, and ensure that such officials are aware of the requirements of this Act;
2. prescribe an official post card form, containing both an absentee voter registration application and an absentee ballot application, for use by the States as required under section 20302(a)(4) of this title;
3. carry out section 20303 of this title with respect to the Federal write-in absentee ballot for absent uniformed services voters and overseas voters in general elections for Federal office;
4. prescribe a suggested design for absentee ballot mailing envelopes;
5. compile and distribute
  - a. descriptive material on State absentee registration and voting procedures, and
  - b. to the extent practicable, facts relating to specific elections, including dates, offices involved, and the text of ballot questions;
6. not later than the end of each year after a Presidential election year, transmit to the President and the Congress a report on the effectiveness of assistance under this chapter, including a statistical analysis of uniformed services voter participation, a separate statistical analysis of overseas nonmilitary participation, and a description of State-Federal cooperation;
7. prescribe a standard oath for use with any document under this chapter affirming that a material misstatement of fact in the completion of such a document may constitute grounds for a conviction for perjury;
8. carry out section 20304 of this title with respect to the collection and delivery of marked absentee ballots of absent overseas uniformed services voters in elections for Federal office;

9. to the greatest extent practicable, take such actions as may be necessary
  - a. to ensure that absent uniformed services voters who cast absentee ballots at locations or facilities under the jurisdiction of the Presidential designee are able to do so in a private and independent manner; and
  - b. to protect the privacy of the contents of absentee ballots cast by absentee uniformed services voters and overseas voters while such ballots are in the possession or control of the Presidential designee;
10. carry out section 20305 of this title with respect to Federal Voting Assistance Program Improvements; and
11. working with the Election Assistance Commission and the chief State election official of each State, develop standards—
  - a. for States to report data on the number of absentee ballots transmitted and received under section 20302(c) of this title and such other data as the Presidential designee determines appropriate; and
  - b. for the Presidential designee to store the data reported.

Executive Order 12642, “Designation of the Secretary of Defense as the Presidential designee under title I of the Uniformed and Overseas Citizens Absentee Voting Act,” identified the Secretary of Defense as the Presidential designee. The Secretary of Defense delegated this authority and the reporting requirement to the Under Secretary of Defense for Personnel and Readiness. The Under Secretary of Defense further delegated this authority to the Director, FVAP.

The FVAP Office is required to report the UOCAVA-specified information to Congress not later than March 31 of each year. Their report is required to include descriptions of Military Department voter registration assistance programs and their use, absentee ballot collection and delivery, cooperation between states and the Federal Government, as well as assessments of absent Uniformed Services and overseas voter registration and participation.

## Acronyms and Abbreviations

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<b>FVAP</b>	Federal Voting Assistance Program
<b>IG</b>	Inspector General
<b>IVAO</b>	Installation Voting Assistance Officer
<b>NVAP</b>	Navy Voting Assistance Program
<b>OPNAVINST</b>	Chief of Naval Operations Instruction
<b>UOCAVA</b>	Uniformed and Overseas Citizens Absentee Voting Act
<b>UVAO</b>	Unit Voting Assistance Officer
<b>U.S.C.</b>	United States Code
<b>VAP</b>	Voting Assistance Program
<b>VAO</b>	Voting Assistance Officer



# **Whistleblower Protection**

## **U.S. DEPARTMENT OF DEFENSE**

*The Whistleblower Protection Enhancement Act of 2012 requires the Inspector General to designate a Whistleblower Protection Ombudsman to educate agency employees about prohibitions on retaliation, and rights and remedies against retaliation for protected disclosures. The designated ombudsman is the DoD Hotline Director. For more information on your rights and remedies against retaliation, visit [www.dodig.mil/programs/whistleblower](http://www.dodig.mil/programs/whistleblower).*

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